

AFFIDAVIT

1) AFFIANT/AGENT.

I, Nathan Adams, a Border Patrol Agent of the United States Border Patrol, Customs and Border Protection, have been employed by the USBP/CBP for approximately 19 years and am currently assigned to the Grand Forks Sector Prosecution Unit.

Your affiant has reason to believe that FLORES-Erazo, Walter (DOB: XX/XX/1975, COC: El Salvador), a/k/a; ERAZO-Flores, Walter, illegally reentered the United States after being removed in violation of 8 U.S.C. § 1326(a)(1).

2) INITIAL ENCOUNTER.

On May 24, 2025, at approximately 8:00 PM, Deputy Fonseca of the Mountrail County Sheriff's Office contacted Grand Forks Sector dispatch (KAK720) requesting assistance. Border Patrol Agent (BPA) Kluczek contacted the deputy telephonically to provide the requested assistance. Deputy Fonseca stated that he encountered four (4) subjects during a traffic stop for speeding on Highway 23, mile marker 58. The driver had a suspended driver's license. One of the passengers identified as FLORES-Erazo, Walter could not provide a valid driver's license and could not communicate with the deputy in the English language.

BPA Kluczek requested to speak with FLORES telephonically. BPA Kluczek identified himself as a United States Border Patrol Agent and conducted an immigration inspection in the Spanish language. FLORES stated that he was a citizen and national of El Salvador and freely admitted to being present in the United States illegally.

BPA Kluczek requested that Deputy Fonseca detain FLORES until a Border Patrol Agent could respond and take custody of him. FLORES was transported to the Mountrail County Correctional Center in Stanley, ND.

On May 25, 2025, at approximately 7:15 AM, Border Patrol Agent (BPA) Lidstrom arrived at the Mountrail County Correctional Center in Stanley, ND, placed FLORES into Border Patrol custody and transported him to the Portal Border Patrol Station for processing.

3) POST ARREST INVESTIGATION.

Upon arriving at the Portal Border Patrol Station, FLORES was enrolled into NGI/IDENT, a computerized fingerprint identification system. The NGI/IDENT results returned with positive immigration and criminal history showing that the subject had been removed three (3) times.

FLORES is a citizen and national of El Salvador.

4) IMMIGRATION HISTORY:

1. Date: January 23, 1997
Agency: U.S. Border Patrol – McAllen, Texas
Charge: INA 241(A)(1)(B) – Entered without inspection
Disposition: FLORES was removed to El Salvador on March 12, 1997, at El Paso, Texas.
2. Date: April 20, 2005
Agency: U.S. Border Patrol – Casa Grande, Arizona
Charge: INA 212(a)(6)(A)(i) – Alien present without admission or parole – (PWAs)
Disposition: Notice to Appear. FLORES was ordered removed by an Immigration Judge on April 29, 2005, and removed to El Salvador on May 16, 2005, at Phoenix, Arizona.
3. Date: July 12, 2013
Agency: U.S. Border Patrol – Eagle Pass, Texas
Charge: INA 212(a)(9)(C)(i)(II) – Previously ordered removed and entered or attempted to enter without being admitted
Disposition: Reinstatement. FLORES was removed to El Salvador on September 30, 2013, at Atlanta, Georgia.

5) CRIMINAL HISTORY:

1. Date: July 12, 2013
Agency: U.S. Border Patrol – Eagle Pass, Texas
Charge: 8 USC 1325(a)(1) – Illegal Entry
Disposition: FLORES was convicted and sentenced to 30 days.

6) MIRANDA RIGHTS/CONSULAR NOTIFICATION.

On May 25, 2025, BPA Termine witnessed by BPA Lidstrom notified FLORES of his Miranda Rights per Service Form I-214. FLORES acknowledged his rights by signing the Service Form I-214 and was willing to answer questions. FLORES admitted to being a citizen of El Salvador and had been previously deported from the United States three times. He also said he last entered the United States in 2017 near San Diego. He said he knew it was illegal to re-enter the United States after he was removed, and he never applied for permission to re-enter after he was removed.

BPA Termine notified FLORES of his right to consular communication. FLORES declined to speak with a consular official.

No record could be found to indicate that FLORES has ever applied for or been granted permission to reenter the United States by the Attorney General or by his successor, the Secretary of the Department of Homeland Security.

In my experience, the above facts constitute a violation of 8 U.S.C. § 1326(a)(1).

The foregoing is true and correct to the best of my knowledge and belief.



Nathan Adams
United States Border Patrol Agent

Sworn before me, this 27th day of May 2025, in ^{Fargo}~~Grand Forks~~, North Dakota, through reliable electronic means.



Alice R. Senechal
United States Magistrate Judge